

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 21-3072

September Term, 2022

1:98-cr-00329-RCL-2

1:98-cr-00329-RCL-3

1:98-cr-00329-RCL-4

1:98-cr-00329-RCL-6

Filed On: August 3, 2023

United States of America,

Appellee

v.

Sean Coates, also known as Birdy,

Appellant

Consolidated with 21-3073, 21-3078, 22-3016

No. 23-3015

1:98-cr-00329-RCL-2

In re: Jerome Martin, Jr.,

Petitioner

BEFORE: Wilkins, Walker, and Pan, Circuit Judges

ORDER

Upon consideration of the petition for leave to file a second or successive motion pursuant to 28 U.S.C. § 2255, the motion to proceed in forma pauperis, and the motion to transfer filed in No. 23-3015; the motion to hold in abeyance filed in No. 21-3072, et al., the opposition to the motions to transfer and to hold in abeyance combined with a motion to establish a briefing schedule for motions to amend the certificate of appealability, the response thereto, and the reply, it is

ORDERED that the motion to proceed in forma pauperis be granted. It is

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 21-3072**September Term, 2022**

FURTHER ORDERED, on the court's own motion, that No. 23-3015 be consolidated with No. 21-3072, et al. It is

FURTHER ORDERED that the petition for leave to file a second or successive motion pursuant to 28 U.S.C. § 2255, and the motion to transfer, be referred to the merits panel to which these cases are assigned. The parties are directed to address in their briefs the issues presented in the petition and the motion rather than incorporate those arguments by reference. It is

FURTHER ORDERED that the motion to hold in abeyance be denied. It is

FURTHER ORDERED that the motion to establish a briefing schedule for motions to amend the certificate of appealability be denied. It is

FURTHER ORDERED that, while not otherwise limited, the parties are directed to address in their briefs (1) whether the petition for leave to file a second or successive petition pursuant to 28 U.S.C. § 2255 is successive within the meaning of § 2255, (2) any request to expand the certificate of appealability granted on December 23, 2022, and (3) their arguments regarding the merits of any claim on which appellants request a certificate of appealability. It is

FURTHER ORDERED, on the court's own motion, that the parties submit, within 30 days of the date of this order, proposed formats for the briefing of these cases. The parties are strongly urged to submit a joint proposal and are reminded that the court looks with extreme disfavor on repetitious submissions and will, where appropriate, require a joint brief of aligned parties with total words not to exceed the standard allotment for a single brief. Whether the parties are aligned or have disparate interests, they must provide *detailed* justifications for any request to file separate briefs or to exceed in the aggregate the standard word allotment. Requests to exceed the standard word allotment must specify the word allotment necessary for each issue.

Per Curiam